

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA \***

**Plaintiff \***

**\***

**V**

**\* Case No.: 2:06-cr-0285-WKW**

**\***

**DARRYL ANDRE KENNEDY \***

**Defendant. \***

**\***

**MOTION TO ACCEPT NOTICE OF INTENT AS TIMELY FILED**

COMES NOW, the undersigned counsel for defendant, Darryl Andre Kennedy, in the above styled case, and respectfully ask of this Court to grant this Motion to Accept Notice of Intent as timely filed and as grounds therefore this movant avers the following:

1. That this undersigned Attorney filed this Defendant's Notice of Intent to enter a guilty plea on July 26, 2007 which is one day beyond the Court's Order date of July 25, 2007.
2. That said delay was at no fault of the Defendant but was due to clerical error of the undersigned Attorney's office.

3. That this Attorney contacted the Assistant United States Attorney the Hon. Kent Brunson and he does not have an objection to this Motion being granted if this Court so orders it.

**RESPECTFULLY submitted this the 26<sup>th</sup> day of July, 2007.**

/s/ Deborah M. Nickson  
Deborah M. Nickson  
Attorney for Darryl Andre Kennedy  
2820 Fairlane Drive, Ste A-10  
Montgomery, AL 36116  
334-213-1233

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 26<sup>th</sup> day of July, 2007, I electronically filed the foregoing Notice with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

/s/ Deborah M. Nickson  
OF COUNSEL

**Kent Brunson, Esq.**  
US Attorney Office  
Middle District of Alabama  
P.O. Box 197  
Montgomery, Alabama 36101